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and KINDER MORGAN G.P., INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

13 | In re SFPP Right-of-Way Claims

Case No. 8:15-CV-00718-JVS-DFM

**JOINT STATEMENT IN RESPONSE TO
THE *ELPIDIO* PLAINTIFFS' MOTION
TO APPOINT INTERIM CLASS
COUNSEL**

Judge: Hon. James V. Selna
Date: November 9, 2015
Time: 1:30 p.m.
Courtroom: 10C

1 Defendants SFPP, L.P., Kinder Morgan Operating L.P. “D,” and Kinder
2 Morgan G.P., Inc. (collectively, “Kinder Morgan”) and Defendant Union Pacific
3 Railroad Company (“Union Pacific”) (collectively, “Defendants”) hereby submit
4 this statement regarding the *Elpidio* Plaintiffs’ Motion to Appoint Interim Class
5 Counsel. (Dkt. No. 88.)

6 Defendants do not object to appointment of lead putative class counsel for
7 purposes of efficiency. Defendants do not take a position as to the adequacy of
8 Plaintiffs’ counsel at this time, and reserve the right to do so in the future.
9 Defendants also reserve the right to oppose any request for attorney’s fees on any
10 basis, including whether the work performed was reasonable or necessary.

11 Dated: November 2, 2015

COOLEY LLP

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/s/ Summer J. Wynn
Summer J. Wynn (240005)

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Attorneys for Defendants
SFPP, L.P., KINDER MORGAN
OPERATING L.P. “D,” and KINDER
MORGAN G.P., INC.

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Dated: November 2, 2015

SHOOK, HARDY & BACON L.L.P.

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/s/ Tammy B. Webb
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Attorneys for Defendant
UNION PACIFIC RAILROAD
COMPANY

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), the undersigned attests that all signatories listed have concurred in the filing of this document.

Dated: November 2, 2015

COOLEY LLP

/s/ Summer J. Wynn
Summer J. Wynn (240005)

Attorneys for Defendants
SFPP, L.P., KINDER MORGAN
OPERATING L.P. "D," and KINDER
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